

CERCLA

Criminal

Compliance Monitor

ACS

Federal Enforcement
and Compliance

Data

☒ National

☐ Regional

Fiscal Year

2015

Measure

Inspections/Evaluations

Investigations

Program

TSCA GLP

TSCA Lead-based Paint

TSCA PCBs

View

☐ Chart

☒ Data

Fiscal Year 2015

Inspections/Evaluations

Export to Excel

TSCA PCBs

01	02	03	04	05	06	07	08	09	10	HQ
7	16	11	17	8	0	0	0	1	0	0

Data Current as of: 07/05/2016

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 7/25/2016 1:18:45 PM
To: Michal_Freedhoff@markey.senate.gov
Subject: Sen. Markey call on TSCA

Michal, confirming the call with Jim for this morning. We have it at both 10 and 10:30 in our calendar. Can you do 10am? Personal Phone / Ex. 6 code Personal Phone / Ex. 6. Thanks,
Sven

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 6/18/2015 5:15:38 PM
To: 'Couri, Jerry' [JerryCouri@mail.house.gov]
Subject: RE: Technical Assistance Request

checking

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Couri, Jerry [mailto:JerryCouri@mail.house.gov]
Sent: Thursday, June 18, 2015 1:06 PM
To: Kaiser, Sven-Erik
Subject: RE: Technical Assistance Request

What is the current appropriated amount for TSCA?

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Thursday, June 18, 2015 9:20 AM
To: Couri, Jerry
Cc: McCarthy, David
Subject: RE: Technical Assistance Request

Jerry,
Checking. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Couri, Jerry [mailto:JerryCouri@mail.house.gov]
Sent: Thursday, June 18, 2015 9:18 AM
To: Kaiser, Sven-Erik
Cc: McCarthy, David
Subject: Technical Assistance Request

Sven:

Could you please provide me TA on how much the Agency generally receives under TSCA imposed user fees? What percentage of the costs do the fees cover?

Thanks.

■ Jerry

Gerald S. Couri

Senior Environmental Policy Advisor | Committee on Energy and Commerce

U.S. House of Representatives

2125 Rayburn Building | 202.226.9603 (direct)



Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 5/7/2016 5:23:42 PM
To: 'Black, Jonathan (Tom Udall)' [Jonathan_Black@tomudall.senate.gov]
Subject: RE: Sen. Udall TSCA TA Request on HLC (5-6)

checking

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Black, Jonathan (Tom Udall) [mailto:Jonathan_Black@tomudall.senate.gov]
Sent: Saturday, May 07, 2016 1:23 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Sen. Udall TSCA TA Request on HLC (5-6)

This document is coming up blank?

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Saturday, May 07, 2016 1:19 PM
To: Black, Jonathan (Tom Udall) <Jonathan_Black@tomudall.senate.gov>; Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov>; Deveny, Adrian (Merkley) <Adrian_Deveny@merkleysenate.gov>
Subject: Sen. Udall TSCA TA Request on HLC (5-6)

Jonathan,

The attached TA responds to the request to review the House counteroffer (HLC 5-6). Yellow highlighting indicates EPA TA that was provided to the House on the HLC 5-4 version, but that may not have been received with enough time to consider and incorporate before the House finalized and transmitted the HLC 5-6 version.

This TA only responds to changes since the last version at the time we were reviewing. All previously offered TA is still germane to the extent the provision has not changed since the TA was offered. The technical assistance does not necessarily represent the policy positions of the agency and the administration on the bill, the draft language and the comments.

Please let me know if any questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Black, Jonathan (Tom Udall) [mailto:Jonathan_Black@tomudall.senate.gov]
Sent: Friday, May 06, 2016 5:03 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Jones, Jim <Jones.Jim@epa.gov>

Cc: Freedhoff, Michal (Markey) <Michal.Freedhoff@markey.senate.gov>; Deveny, Adrian (Merkley) <Adrian.Deveny@merkley.senate.gov>

Subject: Fw: House TSCA draft

Please take a look...

This is the current hlc draft, but not yet reviewed or approved by senate team.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: McCarthy, David <David.McCarthy@mail.house.gov>

Sent: Friday, May 6, 2016 5:00 PM

To: Jackson, Ryan (Inhofe)

Cc: Karakitsos, Dimitri (EPW); Poirier, Bettina (EPW); Black, Jonathan (Tom Udall); Freedhoff, Michal (Markey); Larkin, Brendan; Deveny, Adrian (Merkley); Cohen, Jacqueline; Sarley, Chris; Couri, Jerry; Richards, Tina; Kessler, Rick; Fruci, Jean

Subject: House TSCA draft

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 7/6/2016 5:16:31 PM
To: Black, Jonathan (Tom Udall) [Jonathan_Black@tomudall.senate.gov]
Subject: Re: You're Invited | Reception Celebrating TSCA Law

Thanks- I sent it to the team

On Jul 6, 2016, at 12:56 PM, Black, Jonathan (Tom Udall) <Jonathan_Black@tomudall.senate.gov> wrote:

FYL...

From: Bipartisan Policy Center [mailto:events@bipartisanpolicy.org]
Sent: Tuesday, July 05, 2016 2:22 PM
To: Alyssa Yeroshefsky <ayeroshefsky@bipartisanpolicy.org>
Subject: You're Invited | Reception Celebrating TSCA Law

▪



BIPARTISAN POLICY CENTER

Reception Celebrating Updated TSCA Law

Tuesday, July 12, 2016
4:00 p.m. - 5:30 p.m. ET
Add to calendar

RSVP >

FEATURING

Sen. Tom Udall (D-NM)
Ranking Member,
Appropriations Subcommittee on Interior
and Environment

Rep. John Shimkus (R-IL)
Chairman, Energy
and Commerce Subcommittee
on Environment and Economy

WHEN:

Tuesday, July 12, 2016
4:00 p.m. - 5:30 p.m. ET

WHERE:

House Side of Capitol
Lincoln Room, H-226 (entrance located in
Statuary Hall)
Washington, D.C. 20004

RSVP >

**For Capitol security purposes, please ensure that you RSVP 48
hours before the event.**

Bipartisan Policy Center

1225 Eye Street NW - Suite 1000 - Washington, D.C. 20005 - (202) 204-2400

bipartisanpolicy.org

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Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 2/23/2016 5:02:51 PM
To: 'Freedhoff, Michal (Markey)' [Michal_Freedhoff@markey.senate.gov]
Subject: Sen. Markey TSCA TA - section 5(d)

Michal – got it – checking. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Tuesday, February 23, 2016 12:01 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: TA - section 5(d)

Question -

Under the 5(d)(2) text I sent you yesterday, would the sufficiency of such determinations be subject to APA judicial review? I am unclear on whether a "determination" is a final agency action.

Thanks
Michal
Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 5/16/2016 2:32:39 PM
To: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
Subject: HEC min TSCA TA request on reg neg

Jacqueline- Got it - checking. Thanks,
Sven

On May 16, 2016, at 10:28 AM, Cohen, Jacqueline <jackie.cohen@mail.house.gov> wrote:

Sven,

I am wondering if the negotiated rulemaking requirement included in the recent versions of the House TSCA bill could limit EPA's authority to promulgate and implement the fracking data collection rule that was subject to the recent ANPRM? I know that the ANPRM mentioned data collection on byproducts from fracking. We would greatly appreciate an answer today if possible.

Jacqueline G. Cohen
Senior Counsel
Committee on Energy and Commerce, Democratic Staff
U.S. House of Representatives
jackeline.cohen@mail.house.gov
202-225-4407

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 7/6/2016 1:57:27 PM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
Subject: Re: Sen. Markey Inquiry on PCB STAG grants

Michal- got it - checking. Thanks,
Sven

On Jul 6, 2016, at 9:56 AM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

I have some follow-up questions here

“The nine states identified in the funding memorandum receive STAG funds to inspect on behalf of EPA.”

- <!--[if !supportLists]--><!--[endif]-->Inspect what? schools? For asbestos or pcbs or more?
- <!--[if !supportLists]--><!--[endif]-->What about the other 41 states? does EPA inspect those? How frequently?

Thanks
michal

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey
<image001.png><image002.png><image003.png><image004.jpg>

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Tuesday, July 05, 2016 11:58 AM
To: Freedhoff, Michal (Markey)
Subject: Sen. Markey Inquiry on PCB STAG grants

Michal -

This responds to the inquiry about PCB grants. The attached memo that you included in the request is EPA's FY 2015 allocation of TSCA STAG funds for asbestos, lead-based paint and PCB programs. The nine states identified in the funding memorandum receive STAG funds to inspect on behalf of EPA. They do no enforcement with those funds. The state employees must meet federal training requirements to be credentialed EPA PCB inspectors before conducting any federal inspection. After completing the inspection, the state forwards the inspection report and supporting documents to the EPA regional office. The region reviews the inspection report and makes a determination if enforcement action is warranted. The region follows up with the appropriate enforcement action, if any. Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460

202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]

Sent: Thursday, June 30, 2016 4:57 PM

To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>

Subject: STAG grants = this lists PCBs. all enforcement?

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 2/23/2016 4:47:42 PM
To: 'McCarthy, David' [David.McCarthy@mail.house.gov]
CC: Couri, Jerry [JerryCouri@mail.house.gov]; Richards, Tina [Tina.Richards@mail.house.gov]
Subject: HEC TSCA TA Request on Reasserting old CBI claims

David – are you available for a call at **12:30pm** to discuss? Can call Personal Phone / Ex. 6 **code** Personal Phone / Ex. 6
Please let me know. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: McCarthy, David [mailto:David.McCarthy@mail.house.gov]
Sent: Tuesday, February 23, 2016 11:09 AM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Cc: Couri, Jerry <JerryCouri@mail.house.gov>; Richards, Tina <Tina.Richards@mail.house.gov>
Subject: Reasserting old CBI claims - confidential please

Sven – the original House-passed bill included language for how a manufacturer, after enactment, makes new claims for CBI protection, including a schedule for reasserting the claim after ten years. We are now trying to figure out how to apply that requirement to CBI claimed prior to enactment of the new TSCA legislation. We are thinking of a period (up to 18 months) for EPA to develop a process or plan to review old claims, followed by a period of 5 years for EPA to receive and review rejustifications of old claims, with maybe an additional 2 year extension if EPA has a good reason. We would want no CBI claims to be lifted without affirmative action by EPA. i.e., a reasserted claim protects the CBI unless EPA rules otherwise. Can you please call to give us some TA on this? We want it to work for EPA, but we don't want wholesale dissolution of old CBI claims. We also want the treatment of claims made prior to enactment to be pretty consistent with claims made after enactment. I think one reason we grandfathered old claims in the original House bill was that it was hard to sort this out. Also, we had the impression that EPA had already taken some steps to clear out some obsolete claims.

My desk is Personal Phone / Ex. 6 If a conversation is possible before 1PM that would be great. Thanks so much. Dave

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 7/22/2016 7:10:04 PM
To: 'Couri, Jerry' [JerryCouri@mail.house.gov]
Subject: HEC Briefing Request on TSCA PMNs

Jerry – are you available for a call on PMNs on Weds, July 27 at 9am? We can use Personal Phone / Ex. 6 code Personal Phone / Ex. 6
Personal Phone / Ex. 6 We'll have the past years PMN info for you by then, I'm hoping to have it for you today, but it's getting late so could slip to Monday. Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 6/18/2015 1:20:06 PM
To: 'Couri, Jerry' [JerryCouri@mail.house.gov]
CC: McCarthy, David [David.McCarthy@mail.house.gov]
Subject: RE: Technical Assistance Request

Jerry,
Checking. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Couri, Jerry [mailto:JerryCouri@mail.house.gov]
Sent: Thursday, June 18, 2015 9:18 AM
To: Kaiser, Sven-Erik
Cc: McCarthy, David
Subject: Technical Assistance Request

Sven:

Could you please provide me TA on how much the Agency generally receives under TSCA imposed user fees? What percentage of the costs do the fees cover?

Thanks.

■ Jerry

Gerald S. Couri
Senior Environmental Policy Advisor | Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn Building | 202.226.9603 (direct)



Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 5/7/2016 5:19:07 PM
To: 'Black, Jonathan (Tom Udall)' [Jonathan_Black@tomudall.senate.gov]; Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]; Deveny, Adrian (Merkley) [Adrian_Deveny@merkley.senate.gov]
Subject: Sen. Udall TSCA TA Request on HLC (5-6)
Attachments: Udall.TSCA TA.HLC (5-6).docx

Jonathan,

The attached TA responds to the request to review the House counteroffer (HLC 5-6). Yellow highlighting indicates EPA TA that was provided to the House on the HLC 5-4 version, but that may not have been received with enough time to consider and incorporate before the House finalized and transmitted the HLC 5-6 version.

This TA only responds to changes since the last version at the time we were reviewing. All previously offered TA is still germane to the extent the provision has not changed since the TA was offered. The technical assistance does not necessarily represent the policy positions of the agency and the administration on the bill, the draft language and the comments.

Please let me know if any questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Black, Jonathan (Tom Udall) [mailto:Jonathan_Black@tomudall.senate.gov]
Sent: Friday, May 06, 2016 5:03 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Jones, Jim <Jones.Jim@epa.gov>
Cc: Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov>; Deveny, Adrian (Merkley) <Adrian_Deveny@merkley.senate.gov>
Subject: Fw: House TSCA draft

Please take a look...

This is the current hlc draft, but not yet reviewed or approved by senate team.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: McCarthy, David <David.McCarthy@mail.house.gov>
Sent: Friday, May 6, 2016 5:00 PM
To: Jackson, Ryan (Inhofe)
Cc: Karakitsos, Dimitri (EPW); Poirier, Bettina (EPW); Black, Jonathan (Tom Udall); Freedhoff, Michal (Markey); Larkin, Brendan; Deveny, Adrian (Merkley); Cohen, Jacqueline; Sarley, Chris; Couri, Jerry; Richards, Tina; Kessler, Rick; Fruci, Jean
Subject: House TSCA draft

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 7/5/2016 8:34:32 PM
To: 'Freedhoff, Michal (Markey)' [Michal_Freedhoff@markey.senate.gov]
Subject: RE: Sen. Markey Inquiry on Schools with PCB caulk issues

Michal – thanks for the clarification. I'll pass that along to the folks gathering the information. Best,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

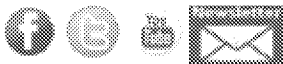
From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Tuesday, July 05, 2016 4:33 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Sen. Markey Inquiry on Schools with PCB caulk issues

Also to be clear – if there were schools that had PCB ballast or paint or other issues, we want to know about those as well.

Thx - michal

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey



From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Tuesday, July 05, 2016 4:16 PM
To: Freedhoff, Michal (Markey)
Subject: Sen. Markey Inquiry on Schools with PCB caulk issues

Michal – We're following up on the request on schools with PCB caulk issues. Since there is not an online listing, we're working with our regional offices to gather the information needed to answer your questions. Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Tuesday, July 05, 2016 2:05 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: Sen. Markey Inquiry on PCB STAG grants

We still also want all the records on the schools that have had pcb issues - we are looking for how problems were discovered and how they were solved. Thanks! On PCBS we are thinking about a report similar to the asbestos report, and possibly altering MASK to include some. Pcb requirements. So we will definitely have some follow up there, but we need to get a bit further along first.

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)

From: Kaiser, Sven-Erik
Sent: Tuesday, July 5, 2016 12:04 PM
To: Freedhoff, Michal (Markey)
Subject: RE: Sen. Markey Inquiry on PCB STAG grants

Michal – Also, we're working on the requests on the Asbestos Trust Fund (takes a little digging since no funds spent since 1993), and also on the asbestos SNUR question. Please let me know if interested in a followup to the call last Thurs on PCBs and asbestos. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Tuesday, July 05, 2016 12:01 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: Sen. Markey Inquiry on PCB STAG grants

Thanks!

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)

From: Kaiser, Sven-Erik
Sent: Tuesday, July 5, 2016 12:00 PM
To: Freedhoff, Michal (Markey)
Subject: Sen. Markey Inquiry on PCB STAG grants

Michal -

This responds to the inquiry about PCB grants. The attached memo that you included in the request is EPA's FY 2015 allocation of TSCA STAG funds for asbestos, lead-based paint and PCB programs. The nine states identified in the funding memorandum receive STAG funds to inspect on behalf of EPA. They do no enforcement with those funds. The state employees must meet federal training requirements to be credentialed EPA PCB inspectors before conducting any federal inspection. After completing the inspection, the state forwards the inspection report and supporting documents to the EPA regional office. The region reviews the

inspection report and makes a determination if enforcement action is warranted. The region follows up with the appropriate enforcement action, if any. Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Thursday, June 30, 2016 4:57 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: STAG grants = this lists PCBs. all enforcement?

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 9/6/2016 2:58:44 PM
BCC: Karakitsos, Dimitri (EPW) [Dimitri_Karakitsos@epw.senate.gov]; Jackson, Ryan (Inhofe) [Ryan_Jackson@ihofe.senate.gov]; Fox, Thomas (EPW) [Thomas_Fox@epw.senate.gov]; 'Albritton, Jason (EPW)' [Jason_Albritton@epw.senate.gov]; Poirier, Bettina (EPW) [Bettina_Poirier@epw.senate.gov]; McCarthy, David [David.McCarthy@mail.house.gov]; Richards, Tina [Tina.Richards@mail.house.gov]; Couri, Jerry [JerryCouri@mail.house.gov]; 'Cohen, Jacqueline' [jackie.cohen@mail.house.gov]; Fruci, Jean [Jean.Fruci@mail.house.gov]; Black, Jonathan (Tom Udall) [Jonathan_Black@tomudall.senate.gov]; Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]; Zipkin, Adam (Booker) [Adam_Zipkin@booker.senate.gov]; Wojciechowski, Adrienne (Judiciary-Dem) [Adrienne_Wojciechowski@Judiciary-dem.senate.gov]; 'Deveny, Adrian (Merkley)' [Adrian_Deveny@merkley.senate.gov]; Enderle, Emily (Whitehouse) [Emily_Enderle@whitehouse.senate.gov]; Hunt, Jasmine (Durbin) [Jasmine_Hunt@durbin.senate.gov]; rick.kessler@mail.house.gov; tuley.wright@mail.house.gov; Bastian, Eleanor [Eleanor.Bastian@mail.house.gov]; Espinosa, Sergio [Sergio.Espinosa@mail.house.gov]; laura_gillam@carper.senate.gov; jordan_baugh@gillibrand.senate.gov; Parsons, Doug [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b0a745542b2e4fa894e877ccf8b83957-Parsons, Doug]; Tharpe, Amanda (Rounds) [Amanda_Tharpe@rounds.senate.gov]; Schmit, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7077ecbac4914a00ad465398f92bbe78-Schmit, Ryan]
Subject: EPA Notification: New TSCA Implementation FAQs Posted on CBI and PBTs

Heads up that EPA posted new FAQs on CBI and PBTs. They are available at:

<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/frank-r-lautenberg-chemical-safety-21st-century-act-0>

EPA will continue to update the FAQs as we respond to stakeholder inquiries. Please let me know if any questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 5/23/2016 1:35:11 AM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
CC: Distefano, Nichole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31d32a3a3a9e4591b5fdc3eb96e8b78-Distefano,]
Subject: Re: Sen. Markey TSCA TA request on citizen suit petitions

Thanks for heads up

On May 22, 2016, at 9:34 PM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

You're going to get all the same language you've already seen from me from Bettina or Jason. :-)

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)

From: Kaiser, Sven-Erik
Sent: Sunday, May 22, 2016 8:45 PM
To: Freedhoff, Michal (Markey)
Cc: Distefano, Nichole
Subject: Sen. Markey TSCA TA request on citizen suit petitions

Michal,
Got it- checking. Thanks,
Sven

On May 22, 2016, at 8:09 PM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

- how many citizen suit petitions have ever been brought under tsca and what was disposition?
- what about under CAA? How many non-deadline suits have been won?
- shd I be thinking about other epa statutes?

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 2/23/2016 4:18:37 PM
To: McCarthy, David [David.McCarthy@mail.house.gov]
CC: Couri, Jerry [JerryCouri@mail.house.gov]; Richards, Tina [Tina.Richards@mail.house.gov]
Subject: Re: Reasserting old CBI claims - confidential please

Dave, got it, checking with folks on the response. Thanks,
Sven

On Feb 23, 2016, at 11:08 AM, "McCarthy, David" <David.McCarthy@mail.house.gov> wrote:

Sven – the original House-passed bill included language for how a manufacturer, after enactment, makes new claims for CBI protection, including a schedule for reasserting the claim after ten years. We are now trying to figure out how to apply that requirement to CBI claimed prior to enactment of the new TSCA legislation. We are thinking of a period (up to 18 months) for EPA to develop a process or plan to review old claims, followed by a period of 5 years for EPA to receive and review rejustifications of old claims, with maybe an additional 2 year extension if EPA has a good reason. We would want no CBI claims to be lifted without affirmative action by EPA. i.e., a reasserted claim protects the CBI unless EPA rules otherwise. Can you please call to give us some TA on this? We want it to work for EPA, but we don't want wholesale dissolution of old CBI claims. We also want the treatment of claims made prior to enactment to be pretty consistent with claims made after enactment. I think one reason we grandfathered old claims in the original House bill was that it was hard to sort this out. Also, we had the impression that EPA had already taken some steps to clear out some obsolete claims.

My desk is Personal Phone / Ex. 6 If a conversation is possible before 1PM that would be great. Thanks so much. Dave

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 7/22/2016 4:14:24 PM
To: 'Freedhoff, Michal (Markey)' [Michal_Freedhoff@markey.senate.gov]
Subject: Sen. Markey Inquiry on TSCA conditions of use

Michal – thanks for the request. I'm checking on the response. Please let me know if any additional questions.
Best,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: "Freedhoff, Michal (Markey)" <Michal_Freedhoff@markey.senate.gov>
Date: July 21, 2016 at 5:47:39 PM EDT
To: "Sven-Erik Kaiser (Kaiser.Sven-Erik@epamail.epa.gov)" <Kaiser.Sven-Erik@epamail.epa.gov>
Subject: question on conditions of use

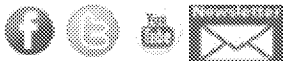
Sven

In the past we've talked about a chemical substance used as part of a mixture qualifying as a condition of use of that substance. What about a nanocrystalline (or thin film) form of a chemical substance? EPA's nanotechnology policy is not to deem nano-versions of things to be new chemicals because their molecular structures are identical to the bulk form – but would a nanocrystalline form constitute a different condition of use in the same way a substance used in a mixture does?

Thx
m

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey



Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 6/2/2016 7:42:01 PM
To: 'Albritton, Jason (EPW)' [Jason_Albritton@epw.senate.gov]; Poirier, Bettina (EPW) [Bettina_Poirier@epw.senate.gov]; Distefano, Nichole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31d32a3a3a9e4591b5fd3eb96e8b78-Distefano,]
Subject: Sen. Boxer TSCA TA on Updated Statement for the Record_EPW edits 5.26.16.docx

Jason – thanks for the reminder. We're working on the response and expect to have something for you shortly. Please let me know if any additional questions. Best,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Albritton, Jason (EPW) [mailto:Jason_Albritton@epw.senate.gov]
Sent: Wednesday, June 01, 2016 8:47 PM
To: Distefano, Nichole <DiStefano.Nichole@epa.gov>; Poirier, Bettina (EPW) <Bettina_Poirier@epw.senate.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Updated Statement for the Record_EPW edits 5.26.16.docx

Any update on this?

Thanks.

From: Distefano, Nichole [mailto:DiStefano.Nichole@epa.gov]
Sent: Thursday, May 26, 2016 5:38 PM
To: Poirier, Bettina (EPW) <Bettina_Poirier@epw.senate.gov>
Cc: Albritton, Jason (EPW) <Jason_Albritton@epw.senate.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: Updated Statement for the Record_EPW edits 5.26.16.docx

Ok. Thank you.

Sent from my iPhone

On May 26, 2016, at 5:37 PM, Poirier, Bettina (EPW) <Bettina_Poirier@epw.senate.gov> wrote:

This is not going to be just a markey document. Fyi.

Sent from my iPhone

On May 26, 2016, at 5:36 PM, Albritton, Jason (EPW) <Jason_Albritton@epw.senate.gov> wrote:

Sven,

Can you let us know if EPA has any comments or issues with the attached edits to the statement for the record on TSCA?

Thanks,

Jason

<Updated Statement for the Record_EPW edits 5.26.16.docx>

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 6/17/2015 7:28:09 PM
To: 'Freedhoff, Michal (Markey)' [Michal_Freedhoff@markey.senate.gov]
CC: Joseph, Avenel (Markey) [Avenel_Joseph@markey.senate.gov]
Subject: RE: TA-TSCA - question on S 697 provisions citing the "discretion" of the Administrator

Checking

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Wednesday, June 17, 2015 3:24 PM
To: Kaiser, Sven-Erik
Cc: Joseph, Avenel (Markey); Freedhoff, Michal (Markey)
Subject: TA-TSCA - question on S 697 provisions citing the "discretion" of the Administrator

Sven

There are a couple of places in S 697 where the Administrator is told that he/she "may" or "shall" do something, but that additionally that thing is at the Administrator's "discretion". We are wondering if the use of the word discretion is anything other than redundant when read in combination with the "may"/"shall", ie does its use preclude someone from bringing a suit for the Administrator's action or failure to act under any applicable statute (ie either Sec 20 of TSCA or APA)? I'm pasting some examples of the language I mean below – thanks

Michal

“(D) GUIDANCE.—

“(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall develop guidance to assist interested persons in developing their own draft safety assessments and other information for submission to the Administrator, which may be considered at the discretion of the Administrator.

“(8) REVISIONS OF PRIOR DESIGNATIONS.—

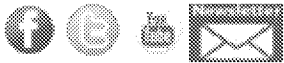
“(A) IN GENERAL.—At any time, and at the discretion of the Administrator, the Administrator may revise the designation of a chemical substance as a high-priority substance or a low-priority substance based on information available to the Administrator after the date of the determination under paragraph (3) or (4).

“(i) IN GENERAL.—Not later than 30 days after the Administrator receives a request under subparagraph (B), the Administrator shall determine, at the discretion of the Administrator, whether the documentation provided by the person making the request rebuts or does not rebut the presumption

described in subparagraph (A), for all or a portion of the information that the person has requested not be disclosed.

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey



Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 5/13/2016 10:04:50 PM
To: Black, Jonathan (Tom Udall) [Jonathan_Black@tomudall.senate.gov]
Subject: Re: Update

Thanks for the update - I'll let the team know.

On May 13, 2016, at 6:02 PM, Black, Jonathan (Tom Udall) <Jonathan_Black@tomudall.senate.gov> wrote:

Hearing from house gop that unlikely to get action on tsca next week because of crowded calendar.

So another week of wrangling. :(

Also, looks like hlc not available to send text tonight, so likely nothing to review tonight.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 7/5/2016 8:16:14 PM
To: 'Freedhoff, Michal (Markey)' [Michal_Freedhoff@markey.senate.gov]
Subject: Sen. Markey Inquiry on Schools with PCB caulk issues

Michal – We're following up on the request on schools with PCB caulk issues. Since there is not an online listing, we're working with our regional offices to gather the information needed to answer your questions. Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Tuesday, July 05, 2016 2:05 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: Sen. Markey Inquiry on PCB STAG grants

We still also want all the records on the schools that have had pcb issues - we are looking for how problems were discovered and how they were solved. Thanks! On PCBs we are thinking about a report similar to the asbestos report, and possibly altering MASK to include some. Pcb requirements. So we will definitely have some follow up there, but we need to get a bit further along first.

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)

From: Kaiser, Sven-Erik
Sent: Tuesday, July 5, 2016 12:04 PM
To: Freedhoff, Michal (Markey)
Subject: RE: Sen. Markey Inquiry on PCB STAG grants

Michal – Also, we're working on the requests on the Asbestos Trust Fund (takes a little digging since no funds spent since 1993), and also on the asbestos SNUR question. Please let me know if interested in a followup to the call last Thurs on PCBs and asbestos. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Tuesday, July 05, 2016 12:01 PM

To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: Sen. Markey Inquiry on PCB STAG grants

Thanks!

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)

From: Kaiser, Sven-Erik
Sent: Tuesday, July 5, 2016 12:00 PM
To: Freedhoff, Michal (Markey)
Subject: Sen. Markey Inquiry on PCB STAG grants

Michal -

This responds to the inquiry about PCB grants. The attached memo that you included in the request is EPA's FY 2015 allocation of TSCA STAG funds for asbestos, lead-based paint and PCB programs. The nine states identified in the funding memorandum receive STAG funds to inspect on behalf of EPA. They do no enforcement with those funds. The state employees must meet federal training requirements to be credentialed EPA PCB inspectors before conducting any federal inspection. After completing the inspection, the state forwards the inspection report and supporting documents to the EPA regional office. The region reviews the inspection report and makes a determination if enforcement action is warranted. The region follows up with the appropriate enforcement action, if any. Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Thursday, June 30, 2016 4:57 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: STAG grants = this lists PCBs. all enforcement?

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 9/2/2016 2:19:36 PM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
CC: Bogdanoff, Alec (Markey) [Alec_Bogdanoff@markey.senate.gov]
Subject: Re: Sen. Markey Inquiry on Schools with PCB issues

Michal,

I'm out today and moving around. Maybe try Nichole and if you can't reach her I can call you. Thanks,
Sven

On Sep 2, 2016, at 10:17 AM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

Thanks -- I do want to flag something on asbestos/TSCA for you or Nichole. If one of you could buzz me that would be great.

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey

<image001.png><image002.png><image003.png><image004.jpg>

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Friday, September 02, 2016 10:03 AM
To: Freedhoff, Michal (Markey)
Cc: Bogdanoff, Alec (Markey)
Subject: Re: Sen. Markey Inquiry on Schools with PCB issues

Michal, thanks for the reminder. Folks are working on them. PCB 2,4,8,12 are close. PCB 9 on the trust fund is getting a lot of attention from OCFO, OGC and checking with Treasury. PCB 10 is moving through enforcement channels. The TSCA reform questions are also close and should pop out next week. Please let me know if any additional questions. Best,
Sven

On Sep 2, 2016, at 9:44 AM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

Checking in on ETA on our pending requests? Thanks!

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey

<image001.png><image002.png><image003.png><image004.jpg>

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Wednesday, August 31, 2016 9:36 AM
To: Bogdanoff, Alec (Markey)
Cc: Freedhoff, Michal (Markey)
Subject: RE: Sen. Markey Inquiry on Schools with PCB issues

Alec,
Thanks for the followup questions. I'll check with folks on the school list. The remaining responses are close. I appreciate your patience, it's complicated at this end as questions 2, 4, 8 and 12 are with the chemicals office, question 9 with the financial office and question 10 with enforcement.. Please let me know if any additional questions. Best,
Sven

Sven-Erik Kaiser
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Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Bogdanoff, Alec (Markey) [mailto:Alec_Bogdanoff@markey.senate.gov]
Sent: Tuesday, August 30, 2016 2:33 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Cc: Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov>
Subject: RE: Sen. Markey Inquiry on Schools with PCB issues

Good afternoon Sven,

I have a few questions regarding the list of schools you sent us; see below. We also have some outstanding unanswered questions from Michal on PCBs, and would like to know when we can expect a response?

Thanks,
Alec

- Why was the Kennedy Center listed for Region 3?
- Why is Sky Valley Education Center in Monroe, WA listed under Region 5 and not Region 10?
- For Region 7, the list of two universities have the exact same description down to "two building." I just want to confirm that the descriptions should be the same.
- In Region 8 where none were reported is that because they did not provide a list or have they not dealt with any schools regarding PCBs?
- Are there any details available for Region 10? They provide numbers of schools and universities with PCB issues, but no specific list like the other regions.

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Thursday, August 18, 2016 12:34 PM
To: Freedhoff, Michal (Markey)
Subject: Sen. Markey Inquiry on Schools with PCB issues

Michal,
Attached is the summary list of schools in each EPA region where PCBs have been an issue. Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 5/23/2016 12:45:27 AM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
CC: Distefano, Nichole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31d32a3a3a9e4591b5fd3eb96e8b78-Distefano,]
Subject: Sen. Markey TSCA TA request on citizen suit petitions

Michal,
Got it- checking. Thanks,
Sven

On May 22, 2016, at 8:09 PM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

- how many citizen suit petitions have ever been brought under tsca and what was disposition?
- what about under CAA? How many non-deadline suits have been won?
- shd I be thinking about other epa statutes?

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 6/17/2015 7:24:26 PM
To: 'Black, Jonathan (Tom Udall)' [Jonathan_Black@tomudall.senate.gov]
Subject: FW: Sen. Udall TSCA TA on Asbestos Definition

Ok – great. Please let me know if any other questions. Best,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Black, Jonathan (Tom Udall) [mailto:Jonathan_Black@tomudall.senate.gov]
Sent: Wednesday, June 17, 2015 3:23 PM
To: Kaiser, Sven-Erik
Subject: RE: Sen. Udall TSCA TA on Asbestos Definition

Turns out that these folks think they can live with the definition in TSCA that you all pointed me to.
No need for a call.

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Wednesday, June 17, 2015 12:46 PM
To: Black, Jonathan (Tom Udall)
Subject: RE: Sen. Udall TSCA TA on Asbestos Definition

Ok - We can look at Fri too if needed. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Black, Jonathan (Tom Udall) [mailto:Jonathan_Black@tomudall.senate.gov]
Sent: Wednesday, June 17, 2015 12:44 PM
To: Kaiser, Sven-Erik
Subject: RE: Sen. Udall TSCA TA on Asbestos Definition

Thanks. I emailed them, but haven't heard back. I think it's safe to take today off the table.

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Wednesday, June 17, 2015 12:36 PM
To: Black, Jonathan (Tom Udall)
Subject: Sen. Udall TSCA TA on Asbestos Definition

Jonathan,

Please let me know if you hear back from the stakeholders about scheduling a call on the asbestos definition.

EPA availability:

Weds, June 17, after 5

Thurs, June 18, after 2

Thanks,

Sven

Sven-Erik Kaiser

U.S. EPA

Office of Congressional and Intergovernmental Relations

1200 Pennsylvania Ave., NW (1305A)

Washington, DC 20460

202-566-2753

From: Kaiser, Sven-Erik

Sent: Tuesday, June 16, 2015 6:28 PM

To: 'Black, Jonathan (Tom Udall)'

Subject: RE: Asbestos

Jonathan – Weds, June 17 at 2pm or Thurs, June 18 from 10-2. Thanks,
Sven

Sven-Erik Kaiser

U.S. EPA

Office of Congressional and Intergovernmental Relations

1200 Pennsylvania Ave., NW (1305A)

Washington, DC 20460

202-566-2753

From: Black, Jonathan (Tom Udall) [<mailto:Jonathan.Black@tomudall.senate.gov>]

Sent: Tuesday, June 16, 2015 1:15 PM

To: Kaiser, Sven-Erik

Subject: Asbestos

Possible to do a call on Asbestos definition with myself and the Sand Stone and Gravel folks this week?

Thanks.

jb

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 5/6/2016 9:56:02 PM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
Subject: Re: Sen. Udall TSCA TA Request on draft HLC (5-6)

Ok - thanks

On May 6, 2016, at 5:53 PM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

Yes. Also generally I mentioned this to Nichole earlier but to the extent that you get some pieces of TA done before others pls send as you can. Our interests will be

5

14

26

4

6

In that order, and then other sections as you get them, recognizing that some in 6 will be different b/c of the 18/6 changes you've already seen from us.

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)

From: Kaiser, Sven-Erik
Sent: Friday, May 6, 2016 5:51 PM
To: Freedhoff, Michal (Markey)
Subject: Re: Sen. Udall TSCA TA Request on draft HLC (5-6)

Michal- we're looking at (SLC 4-24 RLSO on HLC 4-22) to the HLC 5-6. Is that the right compare? Thanks, Sven

On May 6, 2016, at 5:20 PM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

One specific question I have

House nomenclature vs Senate nomenclature – can you comment on which version presents fewest ambiguities or questions that require resolution via a savings clause?

Thanks
Michal

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey
<image001.png><image002.png><image003.png><image004.jpg>

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Friday, May 06, 2016 5:05 PM
To: Black, Jonathan (Tom Udall); Jones, Jim
Cc: Freedhoff, Michal (Markey); Deveny, Adrian (Merkley)
Subject: Sen. Udall TSCA TA Request on draft HLC (5-6)

Jonathan,
Got it – checking. What's your sense of timing? Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Black, Jonathan (Tom Udall) [<mailto:Jonathan.Black@tomudall.senate.gov>]
Sent: Friday, May 06, 2016 5:03 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Jones, Jim <Jones.Jim@epa.gov>
Cc: Freedhoff, Michal (Markey) <Michal.Freedhoff@markey.senate.gov>; Deveny, Adrian (Merkley) <Adrian.Deveny@merkleysenate.gov>
Subject: Fw: House TSCA draft

Please take a look...

This is the current hlc draft, but not yet reviewed or approved by senate team.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: McCarthy, David <David.McCarthy@mail.house.gov>
Sent: Friday, May 6, 2016 5:00 PM
To: Jackson, Ryan (Inhofe)
Cc: Karakitsos, Dimitri (EPW); Poirier, Bettina (EPW); Black, Jonathan (Tom Udall); Freedhoff, Michal (Markey); Larkin, Brendan; Deveny, Adrian (Merkley); Cohen, Jacqueline; Sarley, Chris; Couri, Jerry; Richards, Tina; Kessler, Rick; Fruci, Jean
Subject: House TSCA draft

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 7/5/2016 4:04:10 PM
To: 'Freedhoff, Michal (Markey)' [Michal_Freedhoff@markey.senate.gov]
Subject: RE: Sen. Markey Inquiry on PCB STAG grants

Michal – Also, we're working on the requests on the Asbestos Trust Fund (takes a little digging since no funds spent since 1993), and also on the asbestos SNUR question. Please let me know if interested in a followup to the call last Thurs on PCBs and asbestos. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Tuesday, July 05, 2016 12:01 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: Sen. Markey Inquiry on PCB STAG grants

Thanks!

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)

From: Kaiser, Sven-Erik
Sent: Tuesday, July 5, 2016 12:00 PM
To: Freedhoff, Michal (Markey)
Subject: Sen. Markey Inquiry on PCB STAG grants

Michal -

This responds to the inquiry about PCB grants. The attached memo that you included in the request is EPA's FY 2015 allocation of TSCA STAG funds for asbestos, lead-based paint and PCB programs. The nine states identified in the funding memorandum receive STAG funds to inspect on behalf of EPA. They do no enforcement with those funds. The state employees must meet federal training requirements to be credentialed EPA PCB inspectors before conducting any federal inspection. After completing the inspection, the state forwards the inspection report and supporting documents to the EPA regional office. The region reviews the inspection report and makes a determination if enforcement action is warranted. The region follows up with the appropriate enforcement action, if any. Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]

Sent: Thursday, June 30, 2016 4:57 PM

To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>

Subject: STAG grants = this lists PCBs. all enforcement?

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 9/2/2016 2:02:40 PM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
CC: Bogdanoff, Alec (Markey) [Alec_Bogdanoff@markey.senate.gov]
Subject: Re: Sen. Markey Inquiry on Schools with PCB issues

Michal, thanks for the reminder. Folks are working on them. PCB 2,4,8,12 are close. PCB 9 on the trust fund is getting a lot of attention from OCFO, OGC and checking with Treasury. PCB 10 is moving through enforcement channels. The TSCA reform questions are also close and should pop out next week. Please let me know if any additional questions. Best, Sven

On Sep 2, 2016, at 9:44 AM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

Checking in on ETA on our pending requests? Thanks!

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey

<image001.png><image002.png><image003.png><image004.jpg>

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Wednesday, August 31, 2016 9:36 AM
To: Bogdanoff, Alec (Markey)
Cc: Freedhoff, Michal (Markey)
Subject: RE: Sen. Markey Inquiry on Schools with PCB issues

Alec,
Thanks for the followup questions. I'll check with folks on the school list. The remaining responses are close. I appreciate your patience, it's complicated at this end as questions 2, 4, 8 and 12 are with the chemicals office, question 9 with the financial office and question 10 with enforcement.. Please let me know if any additional questions. Best, Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Bogdanoff, Alec (Markey) [mailto:Alec_Bogdanoff@markey.senate.gov]
Sent: Tuesday, August 30, 2016 2:33 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Cc: Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov>
Subject: RE: Sen. Markey Inquiry on Schools with PCB issues

Good afternoon Sven,

I have a few questions regarding the list of schools you sent us; see below. We also have some outstanding unanswered questions from Michal on PCBs, and would like to know when we can expect a response?

Thanks,
Alec

- Why was the Kennedy Center listed for Region 3?
- Why is Sky Valley Education Center in Monroe, WA listed under Region 5 and not Region 10?
- For Region 7, the list of two universities have the exact same description down to "two building." I just want to confirm that the descriptions should be the same.
- In Region 8 where none were reported is that because they did not provide a list or have they not dealt with any schools regarding PCBs?
- Are there any details available for Region 10? They provide numbers of schools and universities with PCB issues, but no specific list like the other regions.

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Thursday, August 18, 2016 12:34 PM
To: Freedhoff, Michal (Markey)
Subject: Sen. Markey Inquiry on Schools with PCB issues

Michal,
Attached is the summary list of schools in each EPA region where PCBs have been an issue. Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 6/2/2016 5:38:38 PM
To: 'Freedhoff, Michal (Markey)' [Michal_Freedhoff@markey.senate.gov]
Subject: RE: Sen. Markey request on PCBs

Michal - Only one application under section 18(b) was ever received, and it was not granted. In 1994, the state of Connecticut requested approval of a state registration program for PCB transformers. It was denied in favor of a national program. Please let me know if any additional questions. Thanks,
Sven

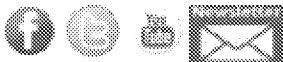
Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Thursday, June 02, 2016 11:51 AM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Sen. Markey request on PCBs

So, I had no idea that anyone had ever applied for an 18(a) waiver under TSCA. I always assumed no one ever did. have there been other examples besides the CT PCB one? if so, what was the outcome?

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

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From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Thursday, June 02, 2016 11:45 AM
To: Freedhoff, Michal (Markey)
Subject: Sen. Markey request on PCBs

Michal – see attached. Please let me know if any additional questions. Thanks,
Sven

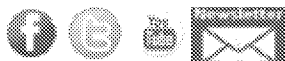
Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Thursday, June 02, 2016 11:08 AM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Sen. Markey TSCA TA request on PCBs

Do you have a pdf copy of the 1994 NPRM? I am only able to find it in a weird format online,

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey



From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Wednesday, June 01, 2016 7:24 PM
To: Freedhoff, Michal (Markey)
Subject: Sen. Markey TSCA TA request on PCBs

Michal,
This TA responds to the TA request on PCBs.

Are EPA's PCB disposal regulations under 6(e) or 6(a)(6)? If the former, was there any reference to (a)(6) in the (e) regulations?

EPA Response: The authority for EPA's PCB regulations arises under TSCA Section 6(e), not 6(a)(6). The PCB disposal regulations do not themselves reference 6(a)(6) but EPA has discussed the relationship to 6(a)(6) in preamble text. See 59 FR 62832 (1994). EPA interprets the preemption exception at 18(a)(2)(B) as applying to PCB disposal regulations, even though they are not issued under 6(a)(6), because they are still the kind of "requirement described in subsection (a)(6) [of section 6]."

The technical assistance does not necessarily represent the policy positions of the agency and the administration on the bill, the draft language and the comments.

Please let me know if any questions. Thanks,

Sven

Sven-Erik Kaiser

U.S. EPA

Office of Congressional and Intergovernmental Relations

1200 Pennsylvania Ave., NW (1305A)

Washington, DC 20460

202-566-2753

On May 27, 2016, at 9:38 AM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

Are EPA's PCB disposal regulations under 6(e) or 6(a)(6)? If the former, was there any reference to (a)(6) in the (e) regulations?

Ty – would also be interested in any edits to the table of enviro votes you might have time to provide now that we have a bit more time (unfortunately).

m

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey

<image001.png><image002.png><image003.png><image004.jpg>

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 5/13/2016 9:35:51 PM
To: Black, Jonathan (Tom Udall) [Jonathan_Black@tomudall.senate.gov]
CC: Deveny, Adrian (Merkley) [Adrian_Deveny@merkley.senate.gov]
Subject: Re: Sen. Udall TSCA TA reqUest on Section 5 and "required"

Great- will be watching phone tonight and over the weekend

On May 13, 2016, at 5:32 PM, Black, Jonathan (Tom Udall) <Jonathan_Black@tomudall.senate.gov> wrote:

Thank you!!!

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Friday, May 13, 2016 5:26 PM
To: Black, Jonathan (Tom Udall) <Jonathan_Black@tomudall.senate.gov>
Cc: Deveny, Adrian (Merkley) <Adrian_Deveny@merkley.senate.gov>
Subject: Sen. Udall TSCA TA reqUest on Section 5 and "required"

Jonathan,
This TA responds to the request on "including."

"Required" is fine, so is "necessary" - as long as you include "including" from the last TA. On a related note, whatever changes are made to this language in 5(e), we suggest also making conforming changes to the analogous language in 5(f)(2) and 5(f)(3).

This TA only responds to changes since the last version at the time we were reviewing. All previously offered TA is still germane to the extent the provision has not changed since the TA was offered. The technical assistance does not necessarily represent the policy positions of the agency and the administration on the bill, the draft language and the comments.

Please let me know if any questions. Thanks,

Sven

Sven-Erik Kaiser

U.S. EPA

Office of Congressional and Intergovernmental Relations

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Washington, DC 20460

202-566-2753

On May 13, 2016, at 5:15 PM, Black, Jonathan (Tom Udall) <Jonathan.Black@tomudall.senate.gov> wrote:

Thanks. Also wondering whether we should say "required" information instead of necessary information to link it back to epa's requirement.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Kaiser, Sven-Erik
Sent: Friday, May 13, 2016 5:09 PM
To: Black, Jonathan (Tom Udall)
Cc: Deveny, Adrian (Merkley)
Subject: Re: Section 5

Checking

On May 13, 2016, at 5:06 PM, Black, Jonathan (Tom Udall) <Jonathan.Black@tomudall.senate.gov> wrote:

Sven, same exercise. New text in green.

Cause any problems?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Jackson, Ryan (Inhofe) <Ryan.Jackson@inhofe.senate.gov>
Sent: Friday, May 13, 2016 5:05 PM
To: Black, Jonathan (Tom Udall)
Subject: Section 5

This look ok? New text in green

To make explicit that a chemical can go to market in compliance with an order, both in the case of insufficient information (5)(e), insert the language in red:

“; the Administrator shall issue an order, to take effect on the expiration of the applicable review period, to prohibit or limit the manufacture, processing, distribution in commerce, use, or disposal of such substance or to prohibit or limit any combination of such activities to the extent necessary to protect against an unreasonable risk of injury to health or the environment, without consideration of costs or other nonrisk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant by the Administrator under the conditions of use, and, the submitter of the notice may commence manufacture of the chemical substance, or manufacture or processing of the chemical substance for a significant new use while any necessary information is being developed, only in compliance with the order.”

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 5/6/2016 9:55:13 PM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
CC: Black, Jonathan (Tom Udall) [Jonathan_Black@tomudall.senate.gov]; Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]; Deveny, Adrian (Merkley) [Adrian_Deveny@merkle.senate.gov]
Subject: Sen. Markey TSCA TA Request on nomenclature HLC (5-6)

Michal- they are equal in that respect. Please let me know if any questions.

Thanks,
Sven

On May 6, 2016, at 5:20 PM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

One specific question I have

House nomenclature vs Senate nomenclature – can you comment on which version presents fewest ambiguities or questions that require resolution via a savings clause?

Thanks
Michal

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202-224-2742

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From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Friday, May 06, 2016 5:05 PM
To: Black, Jonathan (Tom Udall); Jones, Jim
Cc: Freedhoff, Michal (Markey); Deveny, Adrian (Merkley)
Subject: Sen. Udall TSCA TA Request on draft HLC (5-6)

Jonathan,
Got it – checking. What's your sense of timing? Thanks,
Sven

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Cc: Karakitsos, Dimitri (EPW); Poirier, Bettina (EPW); Black, Jonathan (Tom Udall); Freedhoff, Michal (Markey); Larkin, Brendan; Deveny, Adrian (Merkley); Cohen, Jacqueline; Sarley, Chris; Couri, Jerry; Richards, Tina; Kessler, Rick; Fruci, Jean
Subject: House TSCA draft

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From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 6/17/2015 4:46:23 PM
To: 'Black, Jonathan (Tom Udall)' [Jonathan_Black@tomudall.senate.gov]
Subject: RE: Sen. Udall TSCA TA on Asbestos Definition

Ok - We can look at Fri too if needed. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Black, Jonathan (Tom Udall) [mailto:Jonathan_Black@tomudall.senate.gov]
Sent: Wednesday, June 17, 2015 12:44 PM
To: Kaiser, Sven-Erik
Subject: RE: Sen. Udall TSCA TA on Asbestos Definition

Thanks. I emailed them, but haven't heard back. I think it's safe to take today off the table.

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Wednesday, June 17, 2015 12:36 PM
To: Black, Jonathan (Tom Udall)
Subject: Sen. Udall TSCA TA on Asbestos Definition

Jonathan,
Please let me know if you hear back from the stakeholders about scheduling a call on the asbestos definition.
EPA availability:
Weds, June 17, after 5
Thurs, June 18, after 2
Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
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From: Kaiser, Sven-Erik
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Subject: RE: Asbestos

Jonathan – Weds, June 17 at 2pm or Thurs, June 18 from 10-2. Thanks,
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Sven-Erik Kaiser
U.S. EPA

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Sent: Tuesday, June 16, 2015 1:15 PM
To: Kaiser, Sven-Erik
Subject: Asbestos

Possible to do a call on Asbestos definition with myself and the Sand Stone and Gravel folks this week?

Thanks.

jb

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Sent: 5/6/2016 9:50:49 PM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
Subject: Re: Sen. Udall TSCA TA Request on draft HLC (5-6)

Michal- we're looking at (SLC 4-24 RLSO on HLC 4-22) to the HLC 5-6. Is that the right compare? Thanks, Sven

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Michal

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Sent: Friday, May 06, 2016 5:05 PM
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Cc: Freedhoff, Michal (Markey); Deveny, Adrian (Merkley)
Subject: Sen. Udall TSCA TA Request on draft HLC (5-6)

Jonathan,
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To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Jones, Jim <Jones.Jim@epa.gov>
Cc: Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov>; Deveny, Adrian (Merkley)

<Adrian_Deveny@merkley.senate.gov>

Subject: Fw: House TSCA draft

Please take a look...

This is the current hlc draft, but not yet reviewed or approved by senate team.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: McCarthy, David <David.McCarthy@mail.house.gov>

Sent: Friday, May 6, 2016 5:00 PM

To: Jackson, Ryan (Inhofe)

Cc: Karakitsos, Dimitri (EPW); Poirier, Bettina (EPW); Black, Jonathan (Tom Udall); Freedhoff, Michal (Markey); Larkin, Brendan; Deveny, Adrian (Merkley); Cohen, Jacqueline; Sarley, Chris; Couri, Jerry; Richards, Tina; Kessler, Rick; Fruci, Jean

Subject: House TSCA draft

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 6/30/2016 7:11:09 PM
To: Couri, Jerry [JerryCouri@mail.house.gov]
Subject: Re: EPA Notification: TSCA Reform Bill -- First Year Implementation Plan

Hmm, sorry to hear that. Let me know if you would like a briefing, either for committee staff or a wider audience. Thanks,
Sven

On Jun 30, 2016, at 3:08 PM, Couri, Jerry <JerryCouri@mail.house.gov> wrote:

The conference is "full" and we are being locked out.

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Wednesday, June 29, 2016 11:49 AM
Subject: EPA Notification: TSCA Reform Bill -- First Year Implementation Plan

Heads up that EPA today posted an Implementation Plan outlining the agency's first year plans to implement recent legislative amendments to TSCA made by the Frank R. Lautenberg Chemical Safety for the 21st Century Act. The Implementation Plan, along with additional information on the new Act, can be found at: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/frank-r-lautenberg-chemical-safety-21st-century-act>.

Also, EPA will host a webinar on June 30, 2016, from 2:00 to 3:00 EST to provide an informational overview of the new amendments, tailored to those unfamiliar with the new provisions. Additional opportunities for stakeholder engagement are also planned in the coming weeks. To log in to the webinar, go to <http://epawebconferencing.acms.com/overviewreform/> and sign in as a guest. For audio, please call 866-299-3188, and enter code 2025648098#.

Please let me know if any questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 6/17/2015 4:36:19 PM
To: 'Black, Jonathan (Tom Udall)' [Jonathan_Black@tomudall.senate.gov]
Subject: Sen. Udall TSCA TA on Asbestos Definition

Jonathan,
Please let me know if you hear back from the stakeholders about scheduling a call on the asbestos definition.
EPA availability:
Weds, June 17, after 5
Thurs, June 18, after 2
Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Kaiser, Sven-Erik
Sent: Tuesday, June 16, 2015 6:28 PM
To: 'Black, Jonathan (Tom Udall)'
Subject: RE: Asbestos

Jonathan – Weds, June 17 at 2pm or Thurs, June 18 from 10-2. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Black, Jonathan (Tom Udall) [mailto:Jonathan_Black@tomudall.senate.gov]
Sent: Tuesday, June 16, 2015 1:15 PM
To: Kaiser, Sven-Erik
Subject: Asbestos

Possible to do a call on Asbestos definition with myself and the Sand Stone and Gravel folks this week?

Thanks.

jb

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 7/20/2016 3:57:54 PM
To: 'Freedhoff, Michal (Markey)' [Michal_Freedhoff@markey.senate.gov]
Subject: RE: Sen. Markey Briefing Request on Asbestos and Section 5 SNUR

Michal – sounds good – we'll do a call on Mon, July 25 at 10am. Do you prefer we call your desk, cell, or use a conf line. Thanks,
Sven

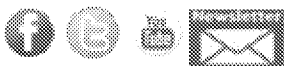
Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Wednesday, July 20, 2016 11:41 AM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Sen. Markey Briefing Request on Asbestos and Section 5 SNUR

Thanks – July 25 shd work. any sense of ETA on the others?

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey



From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Wednesday, July 20, 2016 11:39 AM
To: Freedhoff, Michal (Markey)
Subject: Sen. Markey Briefing Request on Asbestos and Section 5 SNUR

Michal,
I'm following up on the request for a call on asbestos and section 5 SNUR authority. Available times next week include:

Mon, July 25 – 10-10:30am
Weds, July 27 – 9-10am
Thurs, July 28 – 10-11:30am
Fri, July 29 - 1-5pm

Please let me know if any of those times work.

In addition, we are working on the following TSCA requests:

- PCBs and Caulk – first 30 schools
- Partial Risk Evaluations and Preemption
- Section 26, First 10 Workplan chemicals, and Preemption
- Definition of PCB containing materials (**new**)

Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 5/6/2016 9:27:28 PM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
CC: Black, Jonathan (Tom Udall) [Jonathan_Black@tomudall.senate.gov]; Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]; Deveny, Adrian (Merkley) [Adrian_Deveny@merkle.senate.gov]
Subject: Sen. Markey TSCA TA Request on nomenclature HLC (5-6)

Michal,
Got it- checking. Thanks,
Sven

On May 6, 2016, at 5:20 PM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

One specific question I have

House nomenclature vs Senate nomenclature – can you comment on which version presents fewest ambiguities or questions that require resolution via a savings clause?

Thanks
Michal

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey
<image001.png><image002.png><image003.png><image004.jpg>

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Friday, May 06, 2016 5:05 PM
To: Black, Jonathan (Tom Udall); Jones, Jim
Cc: Freedhoff, Michal (Markey); Deveny, Adrian (Merkley)
Subject: Sen. Udall TSCA TA Request on draft HLC (5-6)

Jonathan,
Got it – checking. What's your sense of timing? Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Black, Jonathan (Tom Udall) [mailto:Jonathan_Black@tomudall.senate.gov]
Sent: Friday, May 06, 2016 5:03 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Jones, Jim <Jones.Jim@epa.gov>
Cc: Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov>; Deveny, Adrian (Merkley) <Adrian_Deveny@merkley.senate.gov>
Subject: Fw: House TSCA draft

Please take a look...

This is the current hlc draft, but not yet reviewed or approved by senate team.

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Sent: Friday, May 6, 2016 5:00 PM
To: Jackson, Ryan (Inhofe)
Cc: Karakitsos, Dimitri (EPW); Poirier, Bettina (EPW); Black, Jonathan (Tom Udall); Freedhoff, Michal (Markey); Larkin, Brendan; Deveny, Adrian (Merkley); Cohen, Jacqueline; Sarley, Chris; Couri, Jerry; Richards, Tina; Kessler, Rick; Fruci, Jean
Subject: House TSCA draft

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 5/6/2016 9:08:01 PM
To: 'Black, Jonathan (Tom Udall)' [Jonathan_Black@tomudall.senate.gov]; Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]
CC: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]; Deveny, Adrian (Merkley) [Adrian_Deveny@merkley.senate.gov]
Subject: RE: Sen. Udall TSCA TA Request on draft HLC (5-6)

Jonathan – checking on ability to turn it around by early tomorrow, Sat, May 7. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Black, Jonathan (Tom Udall) [mailto:Jonathan_Black@tomudall.senate.gov]
Sent: Friday, May 06, 2016 5:07 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Jones, Jim <Jones.Jim@epa.gov>
Cc: Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov>; Deveny, Adrian (Merkley) <Adrian_Deveny@merkley.senate.gov>
Subject: Re: Sen. Udall TSCA TA Request on draft HLC (5-6)

Will need review asap. Dwindling possibility of filing this monday, but we will need to edit and correct things this weekend.

If possible, early tomorrow?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Kaiser, Sven-Erik
Sent: Friday, May 6, 2016 5:05 PM
To: Black, Jonathan (Tom Udall); Jones, Jim
Cc: Freedhoff, Michal (Markey); Deveny, Adrian (Merkley)
Subject: Sen. Udall TSCA TA Request on draft HLC (5-6)

Jonathan,
Got it – checking. What's your sense of timing? Thanks,
Sven

Sven-Erik Kaiser
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From: Black, Jonathan (Tom Udall) [mailto:Jonathan_Black@tomudall.senate.gov]
Sent: Friday, May 06, 2016 5:03 PM